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Federal Communications Commission  
Office of the Secretary

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April 7, 1992

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

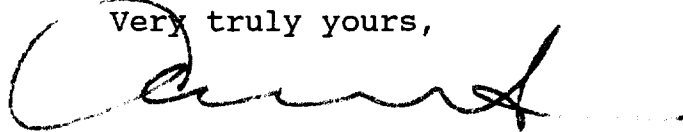
RE: MM Docket No. 92-33  
Bible Broadcasting Network, Inc.  
Conway, Florida  
File No. BPED-890412MJ

Dear Ms. Searcy:

Transmitted herewith, on behalf of Bible Broadcasting Network, Inc., applicant for a construction permit for a new educational FM station at Conway, Florida (File No. BPED-890412MJ), are an original and six copies of a "Petition for Leave to Amend and Amendment" to the above-referenced application.

If there are any questions with respect to this matter, please communicate with the undersigned.

Very truly yours,



Gary S. Smithwick  
Counsel for  
BIBLE BROADCASTING NETWORK, INC.

GSS/pn  
Enc.

cc: As per Certificate of Service  
Conway Public File  
Bible Broadcasting Network, Inc.

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Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

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APR - 7 1992

Federal Communications Commission  
Office of the Secretary

In re Application of	)	MM Docket No. 92-33
	)	
BIBLE BROADCASTING NETWORK, INC.	)	File No. BPED-890412MJ
Conway, Florida	)	
	)	
For Construction Permit	)	
For a New FM Station	)	
on Channel 202C2	)	
Conway, Florida	)	

TO: The Honorable Edward J. Kuhlmann  
Administrative Law Judge

**PETITION FOR LEAVE TO AMEND AND AMENDMENT**

Bible Broadcasting Network, Inc. ("BBN"), applicant for a construction permit for a new educational FM station at Conway, Florida, by its attorney, hereby respectfully requests the Presiding Judge to grant it leave to amend its above-referenced application (File No. BPED-890412MJ) as set forth herein.

This amendment is being filed to update information concerning BBN's broadcast interests and applications as required by Section 1.65 of the Commission's Rules. The amendment reports that (1) on March 19, 1992, pursuant to the terms of a Settlement Agreement, BBN acquired Station KPAC(FM), San Antonio, Texas, and effective March 27, 1992, the call sign was changed to KYFS(FM); and (2) on March 16, 1992, BBN acquired the assets and license of WSOC(AM), Charlotte, North Carolina, and effective March 27, 1992, the

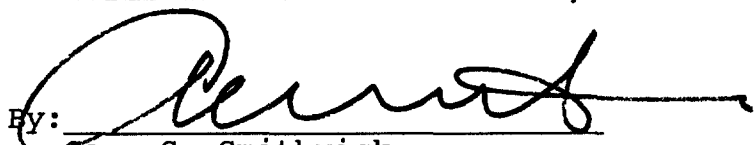
station's call sign was changed to WYFQ(AM).<sup>1</sup>

Good cause exists for this amendment. It is required by Section 1.65 of the Rules. The amendment also meets the test set forth in Erwin O'Conner Broadcasting Co., 22 FCC 2d 140, 143 (Rev. Bd. 1987). That is: (a) it was presented with due diligence; (b) it is involuntary; (c) no new parties or issues are required; (d) no disruption of the proceeding will occur; (e) no party will be prejudiced; and (f) no comparative advantage will accrue to the amending applicant.

WHEREFORE, good cause having been shown, BBN respectfully requests the Presiding Judge to grant it leave to amend and accept the attached amendment to its pending application.

Respectfully submitted,

**BIBLE BROADCASTING NETWORK, INC.**

By:   
Gary S. Smithwick  
Its Attorney

**SMITHWICK & BELENDIUK, P.C.**  
2033 M Street, N.W., Suite 207  
Washington, D.C. 20036  
(202) 785-2800

April 7, 1992

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<sup>1</sup> The amendment also updates two previously reported matters. Call sign "KYFT" was assigned January 31, 1992, to BBN's new FM station at Lubbock, Texas (the construction permit was granted December 20, 1991, reported January 17, 1992); and on March 17, 1992, the dismissal of BBN's application for a new FM station at Salina, Kansas, became final pursuant to a settlement agreement, which was reported November 7, 1991.

Washington, D.C. 20554

) ) ) ) ) ) ) ) ) )

File No. BPED-890412MJ

By:

Lowell Davey  
President

#### EXHIBIT 4

BBN is a non-profit, non-stock corporation which is licensed or permitted to operate a number of radio stations and FM translators. BBN operates its stations with a non-commercial educational format. The radio stations are as follows:

<u>Call Letters</u> <sup>1</sup>	<u>City of License</u>
KYFA(FM)	Amarillo, Texas
KYFB(FM)	Pine Bluff, Arkansas
KYFE(FM)	Alexandria, Louisiana
KYFI(FM)	Lafayette, Louisiana
KYFL(FM)	Monroe, Louisiana
KYFS(FM) <sup>2</sup>	San Antonio, Texas
KYFT(FM)	Lubbock, Texas
KYFW(FM)	Wichita, Kansas
WAVO(AM)	Decatur, Georgia
WHPE-FM	High Point, North Carolina
WYFA(FM)	Waynesboro, Georgia
WYFB(FM)	Gainesville, Florida
WYFC(FM)	Clinton, Tennessee
WYFD(FM) <sup>3</sup>	Decatur, Alabama
WYFE(FM)	Tarpon Springs, Florida
WYFG(FM)	Gaffney, South Carolina
WYFH(FM) <sup>4</sup>	North Charleston, South Carolina
WYFI(FM)	Norfolk, Virginia
WYFJ(FM) <sup>5</sup>	Ashland, Virginia

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<sup>1</sup> Construction permit for WHGG(FM), Knoxville, Tennessee (File No. BPED-861015SY) was voluntarily forfeited and call sign canceled November 21, 1991. BBN determined despite best efforts of BBN and WATE-TV, Knoxville, Tennessee, that it was infeasible to construct WHGG's facilities consistent with constraints to WATE-TV, Channel 6.

<sup>2</sup> Request for Approval of Settlement Agreement granted November 20, 1991. Under the conditions of the Settlement Agreement, BBN's application (File No. BPED-880930MM) for a new non-commercial educational FM station at Live Oak, Texas, was dismissed; and an application (File No. BALE-910802GH) for assignment of license of KPAC(FM), San Antonio, Texas, to BBN was granted. Closing occurred on March 19, 1992, and the station's call sign has changed to KYFS(FM).

<sup>3</sup> Application pending for modification of license to change from a class A facility to a class C2 facility (File No. BPED-910710MD).

<sup>4</sup> Application for license pending (File No. BLE-911016KA).

<sup>5</sup> Application pending for modification of license to increase power (File No. BMLH-900501KA).

WYFK(FM)	Columbus, Georgia
WYFL(FM)	Henderson, North Carolina
WYFN(AM)	Nashville, Tennessee
WYFO(FM)	Lakeland, Florida
WYFQ(AM) <sup>6</sup>	Charlotte, North Carolina
WYFS(FM)	Savannah, Georgia
WYFT(FM)	Luray, Virginia
WYFV(FM)	Cayce, South Carolina
WYFY(FM)	Fisher, West Virginia
WYFZ(FM)	Evans, Georgia

The FM translators are as follows:

<u>Call Letters</u>	<u>City of License</u>
W210AC	Southern Pines, North Carolina
W216AD	Schroon Lake, New York
W224AF	Danville, Virginia
W224AL	Westover Hills, Virginia
W261AM	Christiansburg, Virginia
W261AN	Blacksburg, Virginia
W296AF	Martinsville, Virginia
W296AM	Bassett Forks, Virginia
W204AN	Swainsboro, Georgia
W261AH	Radford, Virginia
W261AI	Fairlawn, Virginia
W253AA	Birmingham, Alabama
W216AK	Princeton, West Virginia
W221AK	Waynesboro, Virginia

BBN has an authorization for a fixed earth station located at Chesapeake, Virginia, granted August 2, 1991 (File No. 1687-DSE-P/L-89; call letters E890804).

BBN has applications pending for new noncommercial educational FM stations at the following communities:

<u>Community</u>	<u>FCC File Number</u>	<u>FCC Docket Number</u>
Noblesville, IN	BPED-880301ML	MM Docket No. 90-94
Martinez, GA <sup>7</sup>	BPED-900125MB	
Fort Smith, AR	BPED-900816MA	

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<sup>6</sup> BBN's application to acquire the assets and license of WSOC(AM), Charlotte, North Carolina (File No. BAL-911227EA) was granted February 7, 1992. Closing occurred on March 16, 1992, and the station's call sign changed to WYFQ(AM).

<sup>7</sup> Request for Approval of Settlement Agreement pending.

BBN has applications pending for new FM Translators at the following communities:

<u>Community</u>	<u>FCC File Number</u>	
Paris, TX	BPFT-880722TB	(Dismissed Feb. 5, 1991)
Amarillo, TX	BPFT-880725TE	(Dismissed Feb. 5, 1991)
Odessa, TX	BPFT-880725TD	(Dismissed Feb. 5, 1991)
Wichita Falls, TX	BPFT-880725TC	(Dismissed Feb. 5, 1991)
Salina, KS	BPFT-880728TB	(Dismissed Feb. 5, 1991)
Topeka, KS	BPFT-880725TC	(Dismissed Feb. 5, 1991)
Lake Charles, LA	BPFT-880801TM	(Dismissed Feb. 5, 1991)
Lafayette, LA	BPFT-880801TB	(Dismissed Feb. 5, 1991)
West Monroe, LA	BPFT-880728TA	(Dismissed Feb. 5, 1991)
Tyler, TX	BPFT-880808TC	(Dismissed April 3, 1990)
Springdale, AR	BPFT-880808TB	(Dismissed Feb. 5, 1991)
Fort Smith, AR	BPFT-880808TD	
Stillwater, OK	BPFT-880810TA	(Dismissed Feb. 5, 1991)
Manhattan, KS	BPFT-880810TB	(Dismissed Feb. 5, 1991)
Emporia, KS	BPFT-880810TC	(Dismissed Feb. 5, 1991)
Jonesboro, AR	BPFT-880815TJ	(Dismissed Feb. 5, 1991)
Pine Bluff, AR	BPFT-880815TI	(Dismissed Feb. 5, 1991)
New Iberia, LA	BPFT-880815TL	(Dismissed Feb. 5, 1991)
Roswell, NM	BPFT-880815TK	(Dismissed Feb. 5, 1991)
Lufkin, TX	BPFT-880906TC	(Dismissed Feb. 5, 1991)
Midland, TX	BPFT-880822TC	(Dismissed Feb. 5, 1991)
Beaumont, TX	BPFT-880822TD	(Dismissed Feb. 5, 1991)
Bryan, TX	BPFT-880822TE	(Dismissed Feb. 5, 1991)
Van Buren, AR	BPFT-880808TD	(Dismissed Feb. 5, 1991)
Abilene, TX	BPFT-880912TF	(Dismissed Feb. 5, 1991)
Grand Island, NE	BPFT-881011TI	(Dismissed Feb. 5, 1991)
Columbia, SC	BPFT-880922TA	(Returned April 3, 1990)
Lincoln, NE	BPFT-881011TI	(Returned April 3, 1990)
Alexandria, LA	BPFT-881019TA	(Dismissed Feb. 5, 1991)
Nacadoches, TX	BPFT-881019TB	(Returned April 3, 1990)
Longview, TX	BPFT-881121TG	(Dismissed Feb. 5, 1991)
Winchester, VA	BPFT-890313TF	
Fayetteville, NC	BPFT-891023TG	(Dismissed May 2, 1991)

BBN was an applicant for a new non-commercial educational FM station at Wilmington, North Carolina. The application was dismissed by the FCC after BBN did not continue to prosecute it.

BBN was an applicant for new noncommercial educational FM stations at Topeka, Kansas (File No. BPED-901005MB); Live Oak, Texas (File No. BPED-880930MM), and Salina, Kansas (File No. BPED-900730MH, MM Docket No. 91-287). The applications were dismissed pursuant to settlement agreements.

Lowell Davey and Georgeanna Davey are officers and directors of Bible Broadcasting Network International, Inc., which is the permittee or licensee for the following FM translators:

<u>Call Letters</u>	<u>City of License</u>
W221AA	Stafford, VA
W221AH	Fredericksburg, VA
W221AK	Waynesboro, VA
W224AE	Wytheville, VA
W249AL	Pulaski, VA
W249AF	Salem, VA
W292CH	Williams Village, NC
W296AU	Harrisonburg, VA
W249AG	Roanoke, VA
W240AF	Charlottesville, VA



**CERTIFICATE OF SERVICE**

I, Patricia A. Neil, a secretary in the law firm of Smithwick, & Belendiuk, P.C., certify that on this 7th day of April, 1992, copies of the foregoing were mailed, first class, postage paid to the following:

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Washington, DC 20554

James Shook, Esquire\*  
FCC, Hearing Branch  
Enforcement Division  
Mass Media Bureau  
2025 M Street, N.W. Rm 7212  
Washington, DC 20554

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Mass Media Bureau, FCC  
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Patricia A. Neil

\*by hand